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PATENT
0941-0844P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Steve LEE Conf.:
Appl. No.: 10/668,220 Group:
Filed: September 24, 2003 Examiner:
For: METHOD FOR PREVENTING READ ERRORS IN
OPTICAL DISC DRIVE

RENEWED PETITION UNDER
37 C.F. § 1.47(a)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

March 23, 2004

Sir:

On September 24, 2003, a Petition was filed for Steve Lee and Donnie Wu, a non-signing inventor. On January 23, 2004, a Decision denying the Petition was mailed. This denial was based on a lack of proof that the non-signing inventor cannot be reached or refuses to sign the oath or declaration.

Accordingly, attached herewith is a Statement of Facts by Steve Lee the co-inventor. Donnie Wu was contacted by telephone and refused to receive the application papers or sign any relevant documents. This Statement of Facts should satisfy the proof requirement that the non-signing inventor refuses to sign the Declaration.

It is submitted that the requirements of 37 CFR 1.47 have been met and that the originally filed Petition should now be granted. Because the Petition fee of \$130 has already been submitted, no additional fees should be due. Moreover, because

the January 23, 2004 Communication set a two month period for response, this reply should be timely filed. If, however, an extension of time is needed, please consider this as a petition for such an extension.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By


Joe McKinney Muncy, #32,334

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KM/ndb
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Attachment(s): Statement of Facts

(Rev. 09/30/03)



Statement of Facts

I, as named below, am an inventor of a patent application, which is titled as METHOD FOR PREVENTING READ ERRORS IN OPTICAL DISC DRIVE and is filed on September 24, 2003. When reviewing one copy of the application paper, I had been requested to contact and to hand another copy to Donnie WU, one of the joint inventors of this patent application.

Around August, 2003, I contacted Donnie WU via telephone of 0918078816. During the conversation, he orally refused to receive the copy and to sign any relevant document of the patent application since, after leaving ASUS, the assignee of the application, he did not want to have any further relationship or connection with the assignee. Therefore, the copy were not sent to Donnie WU even the last known address of Donnie WU as recorded in ASUS is No. 5, Alley 7, Lane Jianchang, Shueinan Rd., Beitun Chiu, Taichung, Taiwan, R.O.C..

Sign: Steve Lee

Date: 2004/3/3

Full Name: Steve LEE (Last name: LEE)

Citizenship: Taiwan, R.O.C.

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